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4 **UNITED STATES DISTRICT COURT**
5 **DISTRICT OF NEVADA**
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7 CYBERGUN S.A., *et. al.*,

8 Plaintiffs,

9 v.

10 JAG PRECISION,

11 Defendant.
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Case No. 2:12-CV-0074-KJD-GWF

ORDER

13 Presently before the Court is Plaintiffs' Motion for Preliminary Injunction (#33). Shortly
14 before briefing commenced, the Ninth Circuit Court of Appeals issued a published opinion in the
15 case Secalt S.A. v. Wuxi Shenxi Constr. Mach. Co., 668 F.3d 677 (9th Cir. 2012) which addressed
16 some of the legal issues at the forefront of the present action, primarily trade dress protection and
17 functionality. However, neither party addressed the Secalt case which originated in this judicial
18 district. Accordingly, the parties are ordered to address the relevance of Secalt to their positions in
19 this litigation. Defendant shall file a supplemental brief within fourteen (14) days of the entry of this
20 order. Plaintiffs shall then file a reply to Defendant's supplement within fourteen (14) days.

21 **IT IS SO ORDERED.**

22 DATED this 11th day of July 2012.
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26 Kent J. Dawson
United States District Judge